Ocket no. 08 CPCN-19

CK# 03950/05760
6.8.08 \$300. CB

TIDEVATER UTILITIES INC.

Certificate of Public Convenience and Necessity Application

Sussex County

Sussex 7108



August 8, 2008

Mr. Kevin Neilson Public Service Commission 861 Silver Lake Blvd. Suite 100 Dover, DE 19904

Re: CPCN Application – Sussex 7108

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Sussex 7108 area located in Sussex County, Delaware.

Two original and ten copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,

Joseph C. Cuccinello CPCN Coordinator

Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures

cc: Mr. Ed Hallock, DPH w/enclosures

cc: Ms. Katherine Bunting-Howarth, DNREC w/enclosures

APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS OF A PUBLIC WATER UTILITY

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee

WATER UTILITIES:

\$300 for filing each extension to a CPCN

Sussex 7108

\$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

1.	Basis for appli	
	a.	Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
	b.	Water supply in the proposed service area is insufficient to meet the projected demand; 26 <u>Del. C.</u> , §203C (d)(2)(b)}; or
	c.	The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 <u>Del. C.</u> , §203C (e)(1)(a)}; or
	<u>X</u> d.	The applicant is in possession of a petition signed by a majority of the parcel owners of the proposed territory to be served; {26 <u>Del. C.</u> , §203C (e)(1)(b)}; or Exhibit A
	e.	The applicant is in possession of a duly certified copy of a resolution from the governing

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

body of a county or municipality requesting the applicant to provide service to the

Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.

Full legal name and address of Applicant: 4. (a.)

Tidewater Utilities, Inc.

1100 South Little Creek Road

Dover, Delaware 19901

Full name of the Utility's designated representative: (b.)

Joseph C. Cuccinello

Emily R. Opdyke

- Phone no: 302-734-7500 X1014 or X1012 (c.)
- (d.) Fax no: 302-734-9297
- Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com (e.)
- Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: Exhibit B
- 6. A complete list of county tax map parcel number(s) for the area covered by the application: Exhibit C
- A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: Exhibit C

- 8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
 - (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
- 9. Copies of petitions signed by landowners showing a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**
- 10. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, and Department of Natural Resources.
 - 1.) The current status of such application is: Sent
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, On PSC File
 - 2.) A chart, which depicts the inter-company relationships, On PSC File
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, On PSC File
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
 - 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, On PSC File
 - 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,

Gerard L. Esposito

President

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.

Joseph C. Cuccinello CPCN Coordinator



In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

231-9.00-31.00

Property Owner(s):

Charles C & Adriane Pollmeier

12034 Hastings Farm Rd

Seaford, DE 19973

Owner's Signature(s): X Much & Pulling

Owner's Signature(s): X

Please sign and date at the X and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

> > **NWSeaford**

A-08-019V P-08-0688.

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

232-13.00-40.00

Property Owner(s):

Lewis R & Melody S Atkins

30472 Fire Tower Rd Laurel, DE 19956

Owner's Signature(s):

Date: 6/16/08

Owner's Signature(s)

Date: 0/

Please sign and date at the \boldsymbol{x} and then return the signed petition to the following address:

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

EofLaurel

A-08-019 / P-08-0091

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

532-21.00-4.01

Property Owner(s):

Patrick & Donna K. Hurley

11524 Ross Lane Delmar, DE 19940

Owner's Signature(s): X Patrick Musley

Owner's Signature(s): X Donna K Hurley

Please sign and date at the x and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

> > **GNEDelmar**

A-08-019 P-08-0692

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

430-20.00-30.00

Tax Parcel Number(s):

Property Owner(s):	Ernest Peoples Jr Jean M Peoples 614 Loveville Rd, Apt C51 Hockessin, DE 19707	
Owner's Signature(s): X_		Date: June 18th 2008
Owner's Signature(s): X_	decensed	Date:

Please sign and date at the $m{x}$ and then return the signed petition to the following address:

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

EofBridgeville

A-08-019 P-08-0694 6/26/08

Ernest Peoples Jr.
Jean M Peoples
614 Loveville Rd, Apt C51
Hockessin, DE 19707

Joe spoke to Jean M Peoples today. Ernest was her husband and he is deceased.

B



Certified Mail Receipt # 7005 3110 0000 5448 1382

July 2, 2008

Charles C & Adriane Pollmeier 12034 Hastings Farm Rd Seaford, DE 19973

Dear Charles C & Adriane Pollmeier;

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 231-9.00-31.00, located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about August 1, 2008. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,

Joseph C. Cuccinello CPCN Coordinator

the calls

LANDOWNER NOTIFICATION

In accordance with Delaware law and regulations of the Public Service Commission, the applicant, Tidewater Utilities, Inc. must show evidence that all landowners of the proposed territory have been notified by certified mail or its' equivalent of the filing of the application.

- (1) Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about August 1, 2008. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number 231-9.00-31.00 located in Sussex County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.
- (2) Pursuant to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the landowners in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing, within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.
- (3) Pursuant to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidewater Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to receive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (4) You may also request a public hearing on this matter. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (5) The written notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.
- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



Certified Mail Receipt # 7005-3110-0000-5448-1405

July 2, 2008

Lewis R & Melody S Atkins 30472 Fire Tower Rd Laurel, DE 19956

Dear Lewis R & Melody S Atkins;

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 232-13.00-40.00, located in Sussex County.

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When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

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Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



Certified Mail Receipt # 7005 3110 0000 5448 1412

July 2, 2008

Patrick & Donna K. Hurley 11524 Ross Lane Delmar, DE 19940

Dear Patrick & Donna K. Hurley;

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 532-21.00-4.01, located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about August 1, 2008. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

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If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,

Joseph C. Cuccinello CPCN Coordinator

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Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



Certified Mail Receipt # 7005 3110 0000 5448 1429

July 2, 2008

Ernest Peoples Jr Jean M Peoples 614 Loveville Rd, Apt C51 Hockessin, DE 19707

Dear Ernest Peoples Jr & Jean M Peoples;

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 430-20.00-30.00, located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about August 1, 2008. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

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Sincerely,

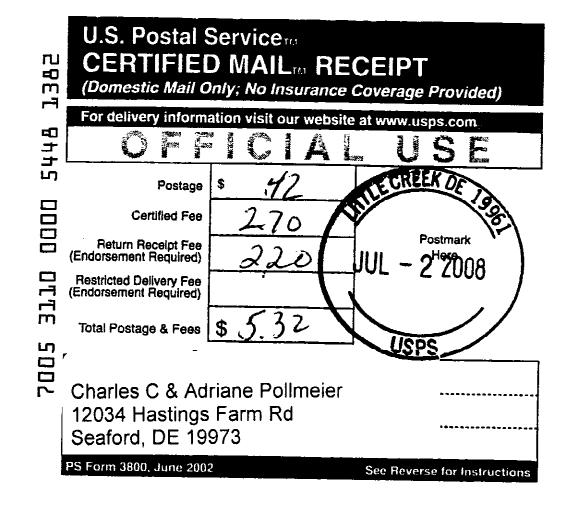
Joseph C. Cuccinello CPCN Coordinator

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- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the revers so that we can return the card to you. Attach this card to the back of the mailpied or on the front if space permits. 	A. Signature X		
1. Article Addressed to: Charles C & Adriane Pollmeier 12034 Hastings Farm Rd		D. Is delivery address different from Item 1?	
Seaford, DE 19973	40 J	3. Service Type Certified Mail	
Article Number (Transfer from service label)	JO5 :	3110 0000 5448 1382	
PS Form 3811, February 2004 Dom	estic Ret	urn Receipt 102595-02-M-1540	

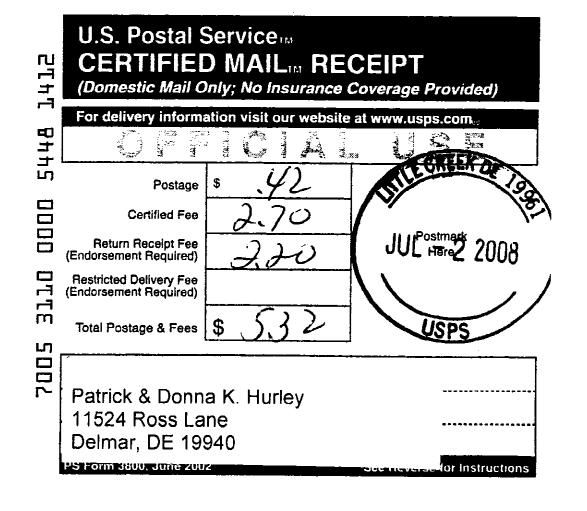
U.S. Postal Service Ital CERTIFIED MAILTE RECEIPT 140 (Domestic Mail Only; No Insurance Coverage Provided) For delivery information visit our website at www.usps.com ゴカナ Ш Postage 0000 Certified Fee Postmark Return Receipt Fee (Endorsement Required) 3110 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees 7005 Lewis R & Melody S Atkins 30472 Fire Tower Rd Laurel, DE 19956 PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X		
1. Article Addressed to:	D. Is delivery address different from item 1? Tes If YES, enter delivery address below:		
Lewis R & Melody S Atkins 30472 Fire Tower Rd			
Laurel, DE 19956	3. Service Type Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise		
	☐ Insured Mail ☐ C.O.D.		
	4. Restricted Delivery? (Extra Fee) ☐ Yes		
2. Article Number (Transfer from service label) 7005 31	10 0000 5448 1405		

Domestic Return Receipt

102595-02-M-1540 (

PS Form 3811, February 2004



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X	
Patrick & Donna K. Hurley 11524 Ross Lane Delmar, DE 19940	D. Is delivery address different from item 1/?	
Delmar, DE 19940	3. Service Type Certified Mail	
2. Article Number (Transfer from service label) 7005 31	10 0000 5448 1412	
PS Form 3811, February 2004 Domestic Ret	turn Receipt 102595-02-M-1540	

102595-02-M-1540

U.S. Postal Service CERTIFIED MAIL RECEIPT 1429 (Domestic Mail Only; No Insurance Coverage Provided) For delivery information visit our website at www.usps.com 5448 Postage Certifled Fee Postmark Return Receipt Fee (Endorsement Required) JUL - 2 2008 3110 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 7005 Ernest Peoples Jr Jean M Peoples 614 Loveville Rd, Apt C51 Hockessin, DE 19707 PS FORD 3890, June 2002 for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X Jean M. Peoples Agent Addressee B. Received by (Printed Name) JEAN M. PEOPLES C. Date of Delivery	
1. Article Addressed to: Ernest Peoples Jr Jean M Peoples	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
614 Loveville Rd, Apt C51 Hockessin, DE 19707	3. Service Type Certified Mail ☐ Express Mail ☐ Registered ☐ Return Recelpt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Transfer from service label) 7005 31:	LO 0000 5448 1429	
PS Form 3811, February 2004 Domestic Ret	um Recélot	

Domestic Return Receipt

102595-02-M-1540

C

wAppNo A-08-019 A-08-019 A-08-019 A-08-019
ParceIAC ParceIID PetitionNo 51.37 231-9.00-31.00 P-08-0688 19.89 232-13.00-40.00 P-08-0691 42.17 532-21.00-4.01 P-08-0692 37.75 430-20.00-30.00 P-08-0694
Zip 19973 19956 19940 19707
State DE DE DE
City Seaford Laurel Delmar Hockessin
FirstName2 StreetNumber 12034 Hastings Farm Rd 30472 Fire Tower Rd 11524 Ross Lane Peoples 614 Loveville Rd, Apt C51
FirstName Peoples
LastName1 Pollmeier Atkins Hurley Jean M
FirstName1 Charles C & Adriane Lewis R & Melody S Patrick & Donna K. Ernest Peoples Jr

151.18

MAPS

SEE ORIGINALS INDOCKET